

MINUTES

OF THE

NATURAL RESOURCE COMMISSION

MEETING

SEPTEMBER 13, 2007

SPRINGBROOK CONSERVATION EDUCATION CENTER
GUTHRIE CENTER, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by Chairperson Elizabeth Garst on Thursday, September 13, 2007 at the Springbrook Conservation Education Center.

MEMBERS PRESENT

Elizabeth Garst
Carol Kramer
Richard (Kim) Francisco
Gregory Drees
Janelle Rettig
William Bird

MEMBERS ABSENT

Lennis Moore

APPROVE AGENDA

Note was made that Item 13, Contract with Iowa State University (CARD) was being removed from the agenda because the Legislative Bureau will pay for the contract directly.

The commission was asked to add a construction project item that was inadvertently left off the printed agenda and discovered subsequent to posting the final agenda. The item is Hales Slough Estes WMA WRP wetland restoration in Dickinson County. It was made clear that deciding on this item at this meeting was important because the money for that project would revert back if the project is not approved at this meeting.

Motion was made by Commissioner Kramer to approve the September 13, 2007 NRC agenda as amended. Seconded by Commissioner Bird. Motion carried by unanimous vote of those present.

AGENDA APPROVED AS AMENDED

APPROVE MINUTES

Corrections to the August 9, 2007 NRC agenda were to add Commissioner Drees seconded the motion on page 26 and Commissioner Francisco seconded the motion on page 27. In addition, Commissioner Rettig requested that on page 18 before the vote on the land divestiture that language be included that indicates that a guarantee could not be made at that time, thus her “no” vote.

Motion was made by Commissioner Francisco to approve the minutes of August 9, 2007 Natural Resource Commission meeting as corrected. Seconded by Commissioner Kramer. Motion carried by unanimous vote of those present.

MINUTES APPROVED AS AMENDED

Commissioner Garst thanked staff, including Ron Munkel, Carolyn Hack, Don Sievers, A.J. Winters, Ben Berka and Bob Schierbaum for the tour on Wednesday. The tour included Bays Branch, Springbrook State Park and Conservation Education Center where there were programs on shooting sports and opportunity to meet the instructors.

DIRECTOR'S REMARKS

Director Leopold reported that he has been studying aspects of the Missouri River in order to get a firm understanding of the river, both what it is in Iowa, as well as what it is on the Nebraska side of the river. He said he also attended a MoRAST meeting (Missouri River Association of State and Tribes) which includes the seven states of the Missouri River Basin. At that meeting they viewed Yellowstone River and the Missouri River coming out of the Rocky Mountains and talked about endangered species, land management and irrigation to gain a better understanding of the geomorphology and biology of the Missouri River, but also policy and politics around it. He said he has gained a better understanding and feels comfortable and confident in talking with the Governor's Office, the legislature and invested stakeholders.

Leopold reported that there would be a dedication of the Lake Odessa water trail on Sunday. He said there would be paddling in the morning and seminars and talks in the afternoon, which allows an opportunity to talk to reporters in a positive light with the water trails dedication.

Leopold noted there has been some talk with legislators about deer, and while some trend lines are down, the population is still too high. He said dialogue will continue about increasing our access to the depredation program and marketing our depredation program as well as license fees and HUSH. Also noted was that the issue of an increase in non resident deer licenses is brought up wherever possible.

The Governor's Leadership Agenda is being completed and staff has been working with the Enterprise Planning Team. This agency is working on Energy and the Environment, which is led by Roya Stanley of the Office of Energy Independence. Strategic planning continues with staff working on environmental indicators to show environmental trends over time.

Sustainable Funding continues to move forward. Mr. Leopold said there is no set plan or detailed mechanism yet but work continues with both republicans and democrats and the NGO community. He said there appears to be overwhelming support out in the communities.

Director Leopold reported on a breakdown of negotiations between the DNR and Regency, the management firm selected for operations of the lodge, convention center, restaurant and golf course at Honey Creek. He said DNR intends to hire a new operations management firm by the end of the year.

Commissioner Bird asked about the damage situation at the Honey Creek golf course as a result of the recent heavy rains. The situation was discussed and report was that the damage was not overwhelming and work continues with a superintendent/groundskeeper, along with parks seasonal help and use of mowing equipment. The golf superintendent and a marketing person were retained from the transition from Regency.

Commissioner Francisco reported that the Rathbun Land and Water Alliance is putting on a watershed tour for a number of interested legislators later this month. He said legislators have asked for a drive by on Honey Creek. Arrangements are being made to have Terry Montgomery on the bus for that tour to answer questions about Honey Creek.

BUDGET OVERVIEW

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Commission was provided information relative to the Department's Fiscal Year (FY) 2008 Operating and Capital Budget. Information includes the Legislative request and what the department will be submitting on October 1 to the Department of Management and Governor's Office.

Linda Hanson reviewed the entire report and noted that the Environmental Protection Commission approved the budget at their last meeting. The next step is for the NRC to review and approve the budget. Hanson said she would like to set up another time when commissioners can spend time asking more detailed questions when our budget Chief can be present.

The notebook provided commissioners contained an overview of the major revenue sources available to fund DNR programs, both operations and capitals; a brief review of expenditures; and the recent history of appropriations by the Iowa General Assembly. It was divided into four sections, addressing where does our money come from, who (organizational unit) is spending this money, what is the money being spent on, and what money does the Iowa Legislature appropriate.

The DNR's budget is characterized by a large number of separate and distinct revenue sources. Only 17% of the current operating budget is appropriated from the General Fund. The remainder includes a large number of federal grants, and dedicated or earmarked funds. The Department is funded from approximately 200 different funding sources. Within major sources, additional layers of earmarking further constrain expenditures.

Examples of earmarked revenue include fishing and hunting license fees; hazardous waste fees; Resource Enhancement and Protection Fund; various groundwater related fees; agricultural lease income from the Army Corps of Engineers' Reservoirs; and Oil Overcharge settlements.

Usage of dedicated state revenues, in addition to the annual appropriation action of the General Assembly, is governed by the provisions written into the permanent chapters of the Iowa Code. Federal fund expenditures are directed by various federal laws, rules, and interpretations by

federal grantor agencies. Within this framework, the DNR must consider legislative intent, direction from the Governor's Office, and policy action by both commissions when budgeting these funds.

Linda Hanson reviewed the budget document in detail and answered individual questions. Discussion included the Fish and Game Trust Fund and the use of those funds. Hanson noted that an audit of those funds was recently completed and those auditors, through the years, have expressed appreciation of the exceptional records, documentation and the fact that appropriate auditing processes are followed by the department.

Director Leopold commented that he also receives that same type of feedback when working on activities with other state departments. He said that the Iowa DNR shines in almost every category---Freedom of Information Act, records requests, financial auditing, hiring practices, etc., and expressed that he is proud of the agency.

For clarification, Janelle Rettig asked if REAP funding for DNR is equal to 37% and that the rest is pass through money. Linda Hanson responded that Commissioner Rettig understood REAP funding correctly. Rettig commented that this should be made clearer to the legislators in the budgeting system.

Also discussed was the fact that a status quo budget had to be submitted and that because of different funding mechanisms and earmarked projects, as well as revenue forecast changes during the legislative session, some changes can take place.

INFORMATIONAL ITEM

BUDGET REQUEST FY 2009

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Natural Resource Commission's approval is requested for the Department's appropriation request for Fiscal Year (FY) 2009. FY09 marks the fourth year in which executive branch departments and agencies' budget requests are submitted via a process termed, "Purchasing Results." This process does not follow the traditional method of beginning with a base budget and adding and subtracting. Instead, it focuses on the results Iowans want from their state government. The Governor, Lt. Governor and, ultimately, the Legislature become buyers of government services on Iowans' behalf. The state agencies are sellers of these services.

The Purchasing Results process creates a marketplace where the buying team utilizes targeted monies to buy the best "Offer" that will most effectively produce the greatest results.

For all activities the Department proposes to conduct in FY09 with appropriated funds, whether they be new, existing, or modified, Offers must provide a given result that will be evaluated against one another and compete with all other Offers for the dollars allocated to that result.

Each Offer will align with one of the Legislative Budget Subcommittees to achieve results. Those seven Results Areas are as follows:

- Education
- Health and Human Services
- Economic Development
- Justice
- Agriculture and Natural Resources
- Transportation, Infrastructure, and Capitals
- Administration and Regulation

**DEPARTMENT OF NATURAL RESOURCES
FY 09 REQUEST**

APPROPRIATION NAME	FY 08 Appropriation	FY 09 Request	\$ Change FY 09 Request Over FY 08 Appropriation
<u>GENERAL FUND APPROPRIATIONS</u>			
Department Operations	\$20,244,822	\$20,244,822	\$0
Total General Fund Appropriation	\$20,244,822	\$20,244,822	\$0
<u>REBUILD IOWA INFRASTRUCTURE FUND (RIIF)</u>			
State Parks Health and Safety	\$2,500,000	\$2,500,000	\$0
Lake Water Quality Improvement	\$8,600,000	\$8,600,000	\$0
Volga River	\$750,000	\$750,000	\$0
Lake Delhi	\$100,000	\$100,000	\$0
Carter Lake	\$500,000	\$500,000	\$0
Green Valley	\$100,000	\$100,000	\$0
Honey Creek Resort Park	\$0	\$8,000,000	\$8,000,000
Lewis and Clark Visitor Center	\$0	\$2,000,000	\$2,000,000
Regional Center and Fair Building Feasibility Studies	\$0	\$300,000	\$300,000
Total Infrastructure Appropriation	\$12,550,000	\$22,850,000	\$10,300,000
<u>ENVIRONMENT FIRST</u>			
Resource Enhancement and Protection	\$15,500,000	\$15,500,000	\$0
Air Quality Livestock Monitoring	\$235,000	\$0	(\$235,000)
Ambient Air Quality Monitoring	\$325,000	\$560,000	\$235,000
Water Quality Monitoring	\$2,955,000	\$2,955,000	\$0
GIS Data for Watershed Managers	\$195,000	\$195,000	\$0
Keepers of the Land Volunteer Program	\$100,000	\$100,000	\$0
Park Operations and Maintenance	\$2,470,000	\$2,470,000	\$0

Water Quantity	\$480,000	\$480,000	\$0
Animal Feeding Operations	\$360,000	\$360,000	\$0
Resource Conservation	\$300,000	\$0	(\$300,000)
Floodplain Management/Dam Safety	\$0	\$150,000	\$150,000
State Forester and State Ecologist	\$0	\$150,000	\$150,000
Livestock Database	\$50,000	\$50,000	\$0
Water Supply Appropriation	\$500,000	\$500,000	\$0
Total Environment First Appropriation	\$23,470,000	\$23,470,000	\$0
<u>NON-GENERAL FUND APPROPRIATIONS</u>			
Fish and Wildlife Operations	\$37,626,733	\$37,626,733	\$0
Marine Fuel Tax Capitals	\$2,500,000	\$2,500,000	\$0
NPDES Fund	\$700,000	\$700,000	\$0
Groundwater Fund	\$3,455,832	\$3,455,832	\$0
UST Administration Match	\$200,000	\$200,000	\$0
Snowmobile Transfer to Fish and Wildlife	\$100,000	\$100,000	\$0
Total Non General Fund Appropriations	\$44,582,565	\$44,582,565	\$0
TOTAL	\$100,847,387	\$111,147,387	\$10,300,000
TOTAL DEPARTMENTAL FTE	1147.43	1147.43	0.00

Linda Hanson reviewed information relative to the budget request, noting changes or additions to the FY09 budget. She specifically noted the additional items added as a result of the Buying Team, which represents the Governor's Office and the Department of Management. These included Honey Creek Resort, the Lewis and Clark Visitor's Center, and the regional centers and the state fair building feasibility studies.

Ken Herring noted that the request for an increase in funding for Honey Creek is a result of Commission input following visits to Honey Creek. He said that at a presentation to the Bond Authority, they explained that other sources of money, both internally and externally are being sought. He said they also told the Bond Authority that the Commission is very concerned and want this request to be to be everything it can be. Herring said staff is comfortable with asking for \$8 million and expressed appreciation of the Commission's guidance on increasing the ask. He said that it was very well received from the Buying Team.

Commissioner Rettig commented on meetings she had with Terry Montgomery regarding Honey Creek Resort. She said she appreciates staff's effort in coming up with a new number and that she is comfortable with the \$8 million with the \$2 million additional from Park and Institutional Roads or other sources. Rettig expressed concern that the plans for the RV park do not include restrooms and shower house. She went on to say that the sentence in the document on page 50 about seeking donations and grants for funding all or a portion of the funding gap should be reworded. She offered assistance in rewording the document to make it stronger.

Rettig remarked that a departmental staffing priority should be to provide naturalists at Honey Creek. In addition, she noted that the study on hotel rates has not yet been completed but that she thinks the room rates being projected are unacceptable and would put the lodge out of accessibility for a lot of Iowans. She went on to say that she is comfortable talking with her legislators and contacts in saying that \$8 million, along with the \$2 million from internal sources, is the minimum to make this project flow. She emphasized that the minimum is not just the cabins, but rather the whole package and that should be made clear. She added that when Honey Creek goes before the Legislative Oversight Committee next week, that would be a good opportunity to get the number out there.

Director Leopold expressed appreciation of Commissioner Rettig pushing the questions. He said that now that we are at a number we are comfortable with, we must think about public relations and marketing.

Discussion continued regarding the internal sources of funding and ways that money could be saved in some places. Commissioner Garst expressed that we should not be working off the same original estimates that were so wrong on the lodge and asked whether estimates for the future paving bids have been re-examined. She said she would like all future contracts verified in-house before finalizing the legislative ask for money.

Ken Herring explained that the Department of Transportation conducts the pre-construction meetings and design review for the applicable roadwork. He said DOT has been very comfortable with the project and have been open as to the use of the P&I funds. He also noted that large elements of the project have been bid, leaving elements with which the Department has experience.

Discussion continued regarding contingencies and operating reserve money as well as aspects of cash flow information. Commissioner Garst thanked Commissioner Rettig for the extra time and effort into this subject and thanked department staff for listening and incorporating commissioner comments into the plan.

Commissioner Garst commented that it was discussed in the past that if more out-of-state licenses were sold, the department could pick up an extra \$2 million. She asked what would be done with that extra money if that happened.

Ken Herring replied that former Director Jeff Vonk had framed that discussion so those funds would be used for improving hunter access and would be a combination of access program and land acquisition. Director Leopold said it is a work in progress because talk has also included the depredation program and HUSH.

Commissioner Garst commented that she hopes a good push can be made this year to work with partners to get this done. She suggested this be discussed at the next meeting.

Linda Hanson asked that it be kept in mind that salaries will go up again this year and every time they go up we are going in the hole a little bit further in terms of operations. She noted that gas prices and cost of living have gone up and those things need to be taken into account.

Commissioner Rettig related that in a status quo budget in an inflationary time is actually a move backwards and a case should be made to that.

Director Leopold explained that there may be opportunities for other legislation and said that draft legislation has been prepared in case they can be used as a result of an improved forecast or depending on the attitude of legislative committees.

Motion was made by Commissioner Rettig to approve the Budget Request for FY 2009. Seconded by Commissioner Francisco. Motion carried by unanimous vote of those present.

FY 2009 BUDGET REQUEST APPROVED

Commissioner Garst thanked staff for the process of going over the budget. She said she feels so much more informed and enabled to be able to talk to her legislators.

PUBLIC PARTICIPATION

Kay Neumann, Executive Director SOAR (Saving Our Avian Resources), a wildlife rehabilitator working mainly with birds of prey, reported that in the last three years wildlife rehabilitators across Iowa have been seeing a large number of bald eagles with lead poisoning in the winter. She said data that was collected found that over 50% of those birds studied had lethal poisoning or exposure levels of lead in their blood or livers. X-rays show that it takes only a small fragment of lead shot to kill an eagle. She said this could impact those species that are slow to reproduce. Neumann said this is much higher than the rates of eagle poisoning seen in other states and is probably because Iowa has two to three thousand eagles present during the winter hunting seasons and eagles scavenge dead carcasses left in the field. Neumann added that other states are looking at upland bird hunting going to non toxic shot because activities such as dove hunting apparently takes a lot of lead shot so there is a lot more poisonings. Neumann went on to say that an easy way to protect these wintering birds is for deer hunters to use solid copper deer slugs and muzzleloader bullets, adding that this would have little impact to deer. Copies of an article "Implications for Lead Exposure in Avian Scavengers" from the Wildlife Society Bulletin were distributed along with photos of x-rays taken of eagles showing bullet fragments which were ingested.

Neumann emphasized that she does not want to impact deer hunting but would like to have an educational campaign to urge deer hunters to switch, perhaps through articles in the regulations, in hunter safety classes, and getting information out to the people that are making the choices as to what they are going to use to hunt deer with.

Commissioner Francisco related that he has become convinced that copper deer slugs are one solution to this problem. He said he has added copper slugs to his hunter education classes and will try to get handouts on this information to various places.

Commissioner Garst thanked Ms. Neumann for pushing this issue and noted that Neumann is a great volunteer for natural resources in Iowa who has devoted her life to rehabilitating birds and introducing ospreys as well as teaching at the Springbrook Education Center.

Commissioner Bird remarked that he would like to hear more on this issue. Suggestion was made to include this subject as an agenda item later on. Ken Herring commented that his staff is preparing some items that might be of interest for discussion at meetings during the winter months.

CONSTRUCTION PROJECTS

Linda Hanson, Administrator, Management Services Division, presented the following item.

Bids were opened August 23, 2007 for the following projects:

(1) Sweet Marsh WMA, William Buss Tract, Bremer County – Restoration of WRP Easement

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22); however, bids have come in over the original amount secured from NRCS for this project. The Department and Natural Resource Conservation Service are working toward amending the paperwork for these projects for full NRCS funding. In the event that this cannot be achieved, the Fish and Wildlife Trust Fund will be used for the project overrun. DNR estimate is \$23,060. Fourteen sets of Plans were issued. Four bids were received.

Bob Cole, dba Cole Excavating	Greene, IA	\$35,301.00
Peterson Contractors, Inc.	Reinbeck, IA	\$49,210.00
Blazek Corporation	Lawler, IA	\$56,750.00
Vieth Construction Corporation	Cedar Falls, IA	\$61,105.00

Staff recommends award of a contract to Bob Cole, dba Cole Excavating, low bidder.

Motion was made by Commissioner Francisco to approve the low bids of Bob Cole, dba Cole Excavating from Greene, Iowa for restoration of WRP easements as listed for construction project items 1, 2, 4, and 5, which are all located at Sweet Marsh WMA in Bremer County. Seconded by Commissioner Rettig.

Linda Hanson presented a brief summary on the restoration of WRP easement projects. She explained that NRCS is contracted with to do the design on wetland restoration on DNR land. There is about \$400,000 available to spend this year in this area, which all will be NRCS reimbursable money that is coming back. A former NRCS staff person has been hired to work

with DNR staff to help develop expertise so that this work can be done in-house in the future if additional agreement with NRCS is done.

Hanson explained that some projects had bids that were over the estimated cost and some that were under the estimates. Request will be made to NRCS for approval for that additional money but if that additional money does not become available the extra money will come from the Fish and Wildlife Trust Fund.

Discussion continued as to why the Sweet Marsh projects are over the estimates while projects in other locations were not. Basil Nimry explained that Sweet Marsh requires different types of terrain and different types of specialty than projects in other areas and seeding at Sweet Marsh requires a specialized type of seeding. The urgency of completing these project because of timelines on the NRCS allocation of those funds was noted.

Motion to approve construction items 1,2,4,and 5 carried unanimously by those present.

CONSTRUCTION PROJECT APPROVED

(2)Sweet Marsh WMA, Scott Schellhorn Tract, Bremer County – Restoration of WRP Easement

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22); however, bids have come in over the original amount secured from NRCS for this project. The Department and Natural Resource Conservation Service are working toward amending the paperwork for these projects for full NRCS funding. In the event that this cannot be achieved, the Fish and Wildlife Trust Fund will be used for the project overrun. DNR estimate is \$40,674. Twelve sets of Plans were issued. Four bids were received.

Bob Cole, dba Cole Excavating	Greene, IA	\$ 55,397.00
Peterson Contractors, Inc.	Reinbeck, IA	\$ 74,169.25
Blazek Corporation	Lawler, IA	\$ 78,263.90
Vieth Construction Corporation	Cedar Falls, IA	\$112,528.00

Staff recommends award of a contract to Bob Cole, dba Cole Excavating, low bidder.

CONSTRUCTION PROJECT APPROVED

(3)Sweet Marsh WMA, Dennis Harms Tract, Bremer County – Restoration of WRP Easement

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage, and incidental work as required by the Plans and the DNR

Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22); however, bids have come in over the original amount secured from NRCS for this project. The Department and Natural Resource Conservation Service are working toward amending the paperwork for these projects for full NRCS funding. In the event that this cannot be achieved, the Fish and Wildlife Trust Fund will be used for the project overrun. DNR estimate is \$21,310. Thirteen sets of Plans were issued. Five bids were received.

Riehm Construction Co., Inc	Waukon, IA	\$35,750.00
Bob Cole, dba Cole Excavating	Greene, IA	\$36,627.50
Peterson Contractors, Inc.	Reinbeck, IA	\$45,645.00
Blazek Corporation	Lawler, IA	\$52,010.00
Vieth Construction Corporation	Cedar Falls, IA	\$66,147.50

Staff recommends award of a contract to Riehm Construction Co., Inc., low bidder.

Motion was made by Commissioner Rettig to approve the low bid of Riehm Construction Co., Inc. of Waukon, Iowa, in the amount of \$35,750.00 for restoration of WRP easement at Sweet Marsh WMA, Dennis Harms Tract in Bremer County. Seconded by Commissioner Francisco. Motion carried by unanimous vote of those present.

CONSTRUCTION PROJECT APPROVED

(4) Sweet Marsh WMA, Phil Snyder Tract, Bremer County – Restoration of WRP Easement

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22); however, bids have come in over the original amount secured from NRCS for this project. The Department and Natural Resource Conservation Service are working toward amending the paperwork for these projects for full NRCS funding. In the event that this cannot be achieved, the Fish and Wildlife Trust Fund will be used for the project overrun. DNR estimate is \$22,722. Fifteen sets of Plans were issued. Five bids were received.

Bob Cole dba Cole Excavating	Greene, IA	\$33,682.00
Riehm Construction Co., Inc	Waukon, IA	\$35,083.60
Peterson Contractors, Inc.	Reinbeck, IA	\$50,426.50
Blazek Corporation	Lawler, IA	\$50,495.50
Vieth Construction Corporation	Cedar Falls, IA	\$58,198.70

Staff recommends award of a contract to Bob Cole, dba Cole Excavating, low bidder.

CONSTRUCTION PROJECT APPROVED

(5) Sweet Marsh WMA, Danny Buls Tract, Bremer County – Restoration of WRP Easement

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22); however, bids have come in over the original amount secured from NRCS for this project. The Department and Natural Resource Conservation Service are working toward amending the paperwork for these projects for full NRCS funding. In the event that this cannot be achieved, the Fish and Wildlife Trust Fund will be used for the project overrun. DNR estimate is \$38,446. Fifteen sets of Plans were issued. Five bids were received.

Bob Cole, dba Cole Excavating	Greene, IA	\$ 60,454.40
Riehm Construction Co., Inc	Waukon, IA	\$ 73,593.20
Peterson Contractors, Inc.	Reinbeck, IA	\$ 84,392.00
Blazek Corporation	Lawler, IA	\$ 88,948.50
Vieth Construction Corporation	Cedar Falls, IA	\$121,830.50

Staff recommends award of a contract to Bob Cole, dba Cole Excavating, low bidder.

CONSTRUCTION PROJECT APPROVED

(6) Hales Slough, M. Schmidt WMA WRP, Dickinson County – Wetland Restoration/Earthwork

This project consists of de-leveling and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22). DNR estimate is \$58,330. Fifteen sets of Plans were issued. Five bids were received.

Dean Quirk, dba Spring Lake Construction	Polk City, IA	\$ 38,102.85
Abel Farm Drainage, Inc.	Greenville, IA	\$ 57,330.00
Cohrs Construction, Inc.	Spirit Lake, IA	\$ 60,012.65
Bluewater Contracting, Inc.	Spirit Lake, IA	\$ 81,017.85
R. S. Halstead Corp.	Sioux Falls, SD	\$133,472.23

Staff recommends award of a contract to Dean Quirk, dba Spring Lake Construction, low bidder.

<i>Motion was made by Commissioner Rettig to approve the low bid of Dean Quirk, dba Spring Lake Construction from Polk City, Iowa, for wetland restoration/earthwork construction projects numbered as 6, 7, and 8. Seconded by Commissioner Drees. Motion carried by unanimous vote of those present.</i>
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CONSTRUCTION PROJECT APPROVED

(7) Christopherson Slough, Hatfield/Yochim WMA WRP, Dickinson County – Wetland Restoration/Earthwork

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22). DNR estimate is \$59,224. Thirteen sets of Plans were issued. Four bids were received.

Dean Quirk, dba Spring Lake Construction	Polk City, IA	\$ 39,220.00
Abel Farm Drainage, Inc.	Greenville, IA	\$ 61,970.50
Cohrs Construction, Inc.	Spirit Lake, IA	\$ 63,966.50
R. S. Halstead Corp.	Sioux Falls, SD	\$ 93,552.00

Staff recommends award of a contract to Dean Quirk, dba Spring Lake Construction, low bidder.

CONSTRUCTION PROJECT APPROVED

(8) Spring Run, Jaquith WMA WRP, Dickinson County – Wetland Restoration/Earthwork

This project consists of de-leveling and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22). DNR estimate is \$ 80,179. Thirteen sets of Plans were issued. Six bids were received.

Dean Quirk, dba Spring Lake Construction	Polk City, IA	\$ 53,081.00
Abel Farm Drainage, Inc.	Greenville, IA	\$ 97,260.50
Cohrs Construction, Inc.	Spirit Lake, IA	\$ 99,786.00
Bluewater Contracting, Inc.	Spirit Lake, IA	\$100,874.05
Reutzel Excavating, Inc.	Burt, IA	\$102,224.40
R. S. Halstead Corp.	Sioux Falls, SD	\$194,664.75

Staff recommends award of a contract to Dean Quirk, dba Spring Lake Construction, low bidder.

CONSTRUCTION PROJECT APPROVED

(9) Crystal Lake WMA, Hancock County – Outlet Structure

This project consists of the construction and installation of a steel framed grating on the inlet of the existing structure, a steel fish barrier on the outlet of the existing structure and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% Marine Fuel Tax funds (see Capital Link #40). DNR estimate is \$ 30,000. Eight sets of Plans were issued. One bid was received.

Sabel Peterson Builders, Inc.

Mason City, IA

\$29,200.00

Staff recommends award of a contract to Sabel Peterson Builders, Inc., low bidder.

Motion was made by Commissioner Kramer to approve the bid of Sabel Peterson Builders, Inc. of Mason City, Iowa in the amount of \$29,200.00 for outlet structure construction at Crystal Lake WMA in Hancock County. Seconded by Commissioner Francisco.

Commissioner Rettig asked if there is a way from new technology or new information to harvest the carp as opposed to killing them off. She said that if there is a way to catch the carp and turn them into protein for someone without just killing them, that should be kept in mind.

Commissioner Francisco related that there has been a number of ongoing studies on how to control carp or eliminate them in various way but so far it appears the best way is to simply lower the lake and rotenone them because everything else is very expensive.

Ken Herring commented that staff has explored commercial fishing and even subsidizing some commercial fishing but those efforts have failed because they want to capture the big ones which does not contain the population. He said staff will keep different options in mind.

Motion carried by unanimous vote by those present.

CONSTRUCTION PROJECT APPROVED

(10)Lake Macbride State Park, Johnson County – HMA Paving

This project consists of the demolition, widening and paving of existing HMA roadways and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 80% (DOT budget \$312,000) in Parks and Institutional Roads funds and 20% (DNR budget \$81,000) in REAP Land Management funds. Twenty-six sets of Plans were issued. Two bids were received.

L. L. Pelling Co., Inc.

North Liberty, IA

\$363,566.78

Vieth Construction Corporation

Cedar Falls, IA

\$374,835.25

Staff recommends reject all bids and rebid due to a bidding irregularity.

Linda Hanson explained that following the bid opening, the Shamrock Construction Company indicated they had sent a bid by certified mail. It appears that mail was misplaced and was never found. The company did fax in a copy of their intended bid which would have ultimately been the low bid. Staff worked with all three contractors involved and in fairness to all three, is asking that all bids be rejected and rebid the project at a later date.

Motion was made by Commissioner Bird to reject all bids for the Lake Macbride paving construction project and rebid later due to a bidding irregularity. Seconded by Commissioner Francisco. Motion carried by unanimous vote of those present.

BIDS REJECTED

(11)Lewis and Clark State Park, Monona County – Campground Electric Upgrade

This project consists of grading and granular surfacing for camp pads and installation of electrical hookups, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 50% in Land and Water Conservation (LAWCON) funds and 50% in Parks Health and Safety funds (see Capital Link #99). DNR estimate is \$352,000. Eleven sets of Plans were issued. Two bids were received.

Schoon Construction, Inc.	Cherokee, IA	\$287,522.35
Nelson & Rock Contracting, Inc.	Onawa, IA	\$301,549.08

Staff recommends award of a contract to Schoon Construction, Inc., low bidder.

Motion was made by Commissioner Drees to approve the low bid of Schoon Construction, Inc. of Cherokee, Iowa, in the amount of \$287,522.35 for campground electrical upgrade at Lewis and Clark State Park in Monona County. Seconded by Commissioner Kramer. Motion carried by unanimous vote of those present.

CONSTRUCTION PROJECT APPROVED

Bids were opened August 29, 2007 for the following project:

(12)Viking Lake State Park, Montgomery County – Repair Flood Damages Structures

This project consists of site clearing; replacement of intakes, tile, outlets and trashracks; seeding and mulching; and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% in Lake Restoration funds (see Capital Link #55). DNR estimate was \$19,000. Five sets of Plans were issued. One bid was received.

Jeff Sickels Dozing	Mount Ayr, IA	\$25,074.00
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Staff recommends award of a contract to Jeff Sickels Dozing, sole bidder.

Motion was made by Commissioner Kramer to approve the bid of Jeff Sickels Dozing of Mount Ayr, Iowa, in the amount of \$25,074.00 for flood damage repair at Viking Lake State Park in Montgomery County. Seconded by Commissioner Rettig. Motion carried by unanimous vote of those present.

CONSTRUCTION PROJECT APPROVED

The bid was opened August 23, 2007 for the following project:

(A)Hales Slough Estes WMA WRP, Dickinson County – Wetland Restoration / Earthwork

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 100% NRCS reimbursable funds (see Capital Link #22). DNR Estimate is \$28,748. Fifteen sets of Plans were issued. Seven bids were received.

Dean Quirk, dba Spring Lake Construction	Polk City, IA	\$18,690.50
Osher Flying Service	Wallingford, IA	\$22,923.00
Abel Farm Drainage, Inc.	Greenville, IA	\$29,024.00
Bluewater Contracting	Spirit Lake, IA	\$36,232.80

Motion was made by Commissioner Francisco to approve the low bid of Dean Quirk, dba Spring Lake Construction of Polk City, Iowa, in the amount of \$18,690.50 for wetland restoration/earthwork at Hales Slough Estes WMA WRP in Dickinson County. Seconded by Commissioner Kramer. Motion carried by unanimous vote of those present.

CONSTRUCTION PROJECT APPROVED

Linda Hanson related that at the last meeting a question was raised about how storm water runoff in some of our parking lots is managed. She explained that when it is feasible to do so, either porous cement or a rain garden will be incorporated into that parking facility. She said five different types of retention basins are at Honey Creek that will help with this kind of problem but it is not known how effective they will be because of freezing and thawing.

Commissioner Rettig remarked that we need to reach deeper in setting environmental standards. She said she understands the winter thaw but whatever we have to do to decrease our footprint should be done. She encouraged staff to work that way.

LAND ACQUISITION

Linda Hanson, Administrator, Management Services Division, presented the following item.

Linda Hanson introduced Travis Baker, recently hired as a supervisor of the Realty Services Section. She noted that Travis started as a fisheries aid and then worked in the GIS program. More recently Travis worked as a right of way agent and is currently enrolled in the Certified Public Managers Program. Hanson noted that Basil Nimry and Travis Baker would be presenting items on her behalf at the next meeting.

Boone Forks Wildlife Management Area, Webster County—Kirby Schmidt et al

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Webster County surrounded on three sides by state-owned and managed Boone Forks Wildlife

Management Area. Kirby Schmidt, Koleen Hoffman, Kristy Kaufman, Karilyn Schliesman, and Konnie Kennicker offer this 40-acre tract for the appraised price of \$106,000.

Robert Davis, Licensed Appraiser of Nevada, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement.

This property is located about 3 miles northwest of Stratford in southeastern Webster County. The tract reflects moderately sloping to steep topography. The property consists of forested land, except for a small open area in the northwest portion of the property. The Des Moines River is about 1/8th of a mile east of the property. A small, old "A"-frame cabin is considered personal property. A county road provides access along the entire west side of the property.

This aesthetic tract will increase the Boone Forks Wildlife Management Area to over 4,100 acres, and will provide wildlife habitat, protection of the Des Moines River (water quality), and enhance public recreation to this area. The Wildlife Bureau will manage the property in accord with the area management plan.

Funding for this acquisition will be provided as follows: \$53,000 REAP License Plate; \$43,000 Wildlife Habitat Stamp; and \$10,000 National Wild Turkey Federation. No survey or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department.

It was pointed out that this land stays on county tax role. It was also noted that a media note will go out as well as a thank you for the donation from the National Wild Turkey Federation.

Motion was made by Commissioner Bird to approve the purchase of a 40-acre tract of land at Boone Forks WMA area in Webster County from Kirby Schmidt, Koleen Hoffman, Kristy Kaufman, Karilyn Schliesman, and Konnie Kennicker for the appraised price of \$106,000. Seconded by Commissioner Francisco. Motion carried by unanimous vote of those present.

LAND ACQUISITION APPROVED

Waubonsie State Park, Fremont County -- Anthony and Sherry Pitzen

The Natural Resource Commission's approval is requested to accept the donation of a permanent easement for the purpose of a road right-of-way into the southwest side of the WaShawtee addition to Waubonsie State Park. Anthony (Tony) and Sherry Pitzen offer to donate a 0.70 acre permanent easement and a 0.02 acre temporary easement for construction

Rick Hansen negotiated the agreement.

This property is located at the end of WaShawtee Road, a maintained county road in southeastern Fremont County. Currently the state has legal access into WaShawtee addition to Waubonsie State Park via 1/2 of a narrow strip of gravel surface formerly known as Militia Hollow Road. Said road was vacated and closed by Fremont County in 1989, leaving a 923-foot stretch of access lane between the end of county maintained WaShawtee Road and the entrance to the former Girl Scout Camp land. Tony and Sherry Pitzen took title to 1/2 of the vacated strip of

road from the Girl Scouts in 2003. The DNR now wishes to provide for two-way traffic to and from the southwest part of the new addition to Waubonsie State Park, planning construction of a 20-foot wide road with 2-foot shoulders. The easement donation by the Pitzen's will provide the property rights needed for construction of the new road. The Department will pave the Pitzen's driveway as part of its paving activities at the site.

This easement will become part of Waubonsie State Park, and will be managed by the Parks Division.

A survey of the easement for the roadway has been completed. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Rettig to approve the donation of a 0.70 acre permanent easement and a 0.02 acre temporary easement for a new road in exchange for the state providing a concrete driveway extending from the proposed road to the existing driveway at the residence of Anthony and Sherry Pitzen on the southwest side of the WaShawtee addition to Waubonsie State Park. Seconded by Commissioner Drees.

Commissioner Garst commented that she was under the impression that the road was going to be one way all the way through rather than a two-way road. Discussion continued about the road and staff noted they would get back with specifics regarding the road. Hanson also noted that the construction project would be coming before the commission and would provide a description of the road at that time.

Commissioner Garst stated that a road all the way through the park is real sad and if it is a two way road through the park it would be doubly sad. She added that getting into the front and into the facilities down low may not be a problem, but a two-way road heading up the hill would hurt the park.

Motion carried by unanimous vote of those present.

EASEMENT DONATION APPROVED

Linda Hanson distributed a summary of property taxes paid. Short discussion ensued regarding Federal land that pays payments in lieu of taxes. Travis Baker said he does not track Federal payments but that he receives a yearly report and would provide those to the Commission if they wanted them.. A summary of all land managed by the department will be put together for future discussion.

EASEMENTS

Gladfelter Marsh WMA, Hancock County—Crystal Lake Wind, LLC

The Natural Resource Commission's approval is requested for the issuance of a permanent easement to Crystal Lake Wind, LLC for the right to overhang an electric transmission line above Gladfelter Marsh Wildlife Management Area in Hancock County.

The easement will accommodate construction of transmission lines serving a wind energy project. The easement area is a 25 foot wide by one quarter mile strip located along the northernmost boundary of the wildlife area, adjacent and parallel to an existing east-west county highway. The transmission line will be a minimum of 21.5 feet above the ground. Transmission line towers will be located in the county highway right-of- way.

No permanent structures will be located on the wildlife area. Wildlife Bureau staff have reviewed the project under the company's application for a construction permit and have determined any effect of the project on wildlife or planned management of the area will be negligible.

The consideration for the easement is \$3,125.

Motion was made by Commissioner Francisco to approve a permanent easement to Crystal Lake Wind, LLC for the right to overhang an electric transmission line above Gladfelter Marsh Wildlife Management Area in Hancock County. Seconded by Commissioner Bird. Motion carried by unanimous vote of those present.

EASEMENT APPROVED

Forest Legacy Conservation Easement, Allamakee County -- Ronald H. and Rebecca J. Berns

As part of the 1990 Farm Bill, congress created the Forest Legacy Program to identify and protect environmentally important private forestland threatened with conversion to non-forest uses. The program promotes the concepts of protecting "working forests" and allowing continuation of traditional forest uses as long as the landowners follow a state forester approved Forest Stewardship Plan.

The Forest Legacy Program is federally funded and will pay up to 75% of the total market value of a conservation easement (development rights) of private forests. Funding is dependent upon Congressional review for specific projects and tracts. Advanced private landowner applications are required to be reviewed and prioritized at the state level, then forwarded to the USDA Forest Service for national review and possible inclusion in the President's Fiscal Year Budget.

In Iowa, our Forest Legacy application process is open year-round to any interested forestland owner in designating Forest Legacy areas. Applications are prioritized to properties that 1) possess a forest stewardship plan; 2) are close to or adjoin protected lands such as parks, forests, wildlife areas, etc.; 3) are threatened by conversion to non-forest use; and 4) landowners are willing to contribute or donate to the minimum 25% non-federal match requirement. The Iowa Forest Stewardship Committee (members include Iowa Natural Heritage Foundation, Conservation Districts of Iowa, Iowa Farm Bureau, Iowa State University, etc.) review applications each year and make recommendations to the State Forester for funding priorities.

In 2006, Iowa received federal funding approval to acquire a conservation easement from Ronald H. and Rebecca J. Berns of Monona, Iowa on 209 acres of forest land located at the S ½ of the SE ¼ of the SW ¼, the NE ¼ of the SW ¼, the SE ¼, except that parcel described in Book 97; Page 327, Section 26, Township 96 N, Range 5W of the 5th principal meridian, Allamakee County, Iowa. The NE ¼ of the NW ¼ and the N ½ of the NE ¼ Section 35, Township 96N, Range 5W of the 5th Principal Meridian, Allamakee County, Iowa. The area is located just off Allamakee County Road X26 south of the City of Rossville, Iowa.

After a process of fair market appraisal by Ed Roach, ARA, and review appraisal by DNR Appraiser Rick Hansen, ARA, to meet federal standards, the Berns' property conservation easement and development rights was valued at \$250,200. The Berns' have signed an offer to sell a permanent conservation easement to the Department for 75% of the development rights for \$187,650 (Forest Legacy Federal Funds) and will donate \$62,550 to meet the federal 25% match requirement to the Department. This permanent conservation easement is perpetual and will be recorded with the Allamakee County Recorder's Office being made part of the deed for the land. The Department will conduct annual monitoring inspections in cooperation with the landowner.

The Commission is asked to approve the Forest Legacy offer of \$187,650 and accept \$62,550 donation for the purchase of the permanent conservation easement on 209 acres of forest in Allamakee County from Ronald and Rebecca Berns.

Motion was made by Commissioner Kramer to approve the Forest Legacy offer of \$187,650 and accept \$62,550 donation for the purchase of the permanent conservation easement on 209 acres of forest in Allamakee County from Ronald and Rebecca Berns. Seconded by Commissioner Francisco.

Linda Hanson reviewed the Forest Legacy easement and noted that this property would be monitored. The question of whether the monitoring is done on a flat fee or a per acre basis was talked about. Commissioner Garst encouraged staff to have central office files and a tracking system on monitoring because that is a legal obligation of the department. She further explained that the IRS is adamant that donated conservation easements be policed and that the Department has obligation in perpetuity that they are monitored.

Hanson noted that staff is talking about the monitoring of these easements and is making sure all legal requirements are met and that monitoring is being done.

Motion carried by unanimous vote of those present.

EASEMENT APPROVED

CHAPTER 18 LEASES

Linda Hanson, Administrator, Management Services Division, presented the following item.

Mississippi River, Scott County -- Citgo Petroleum Corporation

The Natural Resource Commission's approval is requested for the renewal of a lease with Citgo Petroleum Corporation of Houston, TX for a portion of the riverbed of the Mississippi River. Upon NRC approval, it will then be submitted to the Executive Council for final approval.

The leased area consists of 218 feet of river frontage by 300 feet of depth located at River Mile 488.5, Section 26, Township 78 North, Range 4 East of the 5th P.M., in Scott County, Iowa, in the City of Bettendorf. The site is used to facilitate barge loading and unloading products associated with an oil terminal owned by the applicant. The area is occupied by three mooring cells of 29, 33 and 34 feet in diameter. The site has been under lease since 1992.

The proposed lease will be for a five year period, expiring September 30, 2012. The annual fee is \$300 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The administrative fee is \$54.

Motion was made by Commissioner Kramer to approve the renewal of a lease with Citgo Petroleum Corporation of Houston, TX for a portion of the riverbed of the Mississippi River in Scott County, City of Bettendorf. Seconded by Commissioner Rettig.

Commissioner Rettig noted that at the last meeting there was discussion about reviewing these leases and the entire fee structure to see if the fees need to be updated.

Kelley Myers related that staff is working on those rules and is on the regulatory calendar for this year. Commissioner Garst offered that in addition to the lease fee being low, the administrative fee is low so all of the leases need to go through a review process

Motion carried by unanimous vote of those present.

LEASE APPROVED

CONTRACT – SOFTWARE DEVELOPMENT AND MAINTENANCE

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Natural Resource Commission's approval is requested to enter in to a contract with REL Productions, West Des Moines, Iowa, in the amount of \$175,000 for software development and maintenance of the Engineering and Realty Services Project Management Application. The contract is an hourly support contract with a cap of \$50,000 in the first year with the option to renew the contract on an annual basis for five years (six year total contract). If the contract is renewed at the end of the contract year, the renewal amount will be \$25,000.

The Engineering and Realty Services Project Management Application was developed in 2005 to provides electrical means for Engineering and Realty staff to track construction project details; enhance communications between DNR staff managing the construction project; and streamline

the bidding process by posting bid opportunities, specifications and the winning bid information to the DNR website.

The Department held a Kaizen Event (a Process Improvement event) in May 2007 to identify ways to improve to the bidding process. As a result, several suggestions were made regarding changes to the Engineering and Realty Services Project Management Application. The original development contract for this application included contract extensions to provide for support. Since that contract expired, it was necessary to bid for a software developer to be available on an as needed basis for enhancements and maintenance. This contract will allow for the development of the Kaizen identified changes, other changes recommended by staff, and provide the ability to renew the contract after the first year so there is support in place to maintain the application.

This contractor was chosen because they have experience with the Code Charge Generator software tool used to develop the application, and the developer proposed for the project has worked in State government and with the DNR in the past. Of the 10 vendors who submitted proposals, REL Productions ranked the highest with 84 out of 100 with the second highest vendor ranked at 72. REL Productions received the highest evaluation in 6 out of the 8 evaluation categories.

Funds for this project will be provided by the Engineering and Realty Services' budget.

Motion was made by Commissioner Rettig to approve a contract with REL Productions, West Des Moines, Iowa, in the amount of \$175,000 for software development and maintenance of the Engineering and Realty Services Project Management Application. The contract is an hourly support contract with a cap of \$50,000 in the first year with the option to renew the contract on an annual basis for five years (six year total contract). Seconded by Commissioner Francisco. Motion carried by unanimous vote of those present

CONTRACT APPROVED

28E AGREEMENT FOR WATERSHED PROTECTION – LOST GROVE LAKE, SCOTT COUNTY

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve a 28E Agreement between the Iowa Department of Natural Resources and the Scott County Soil and Water Conservation District (Scott County SWCD). The agreement will provide a framework for joint funding and administration at the county-level of incentives that will be used to improve water quality at Lost Grove Lake through the installation of filter strips and procurement of conservation easements.

The agreement will require the Department to provide oversight of the Scott County SWCD-administered program and a financial commitment of not more than \$30,000 total over three

years, or 50% of Scott County SWCD's match, whichever is less. Scott County SWCD may, and will be encouraged to, solicit matching funds from other interested partners, including but not limited to: Pheasants Forever, the Quad City Conservation Alliance, the Izaak Walton, and Waterfowl USA. The Department's future funding of this program will require the Department, IDALS Division of Soil Conservation, and Scott County SWCD to work with potential public and private funding sources based on the successes they realize during this initial phase.

The Department will use the Fisheries/Lake Restoration program's funds to meet the Department's obligations pursuant to this agreement.

*Motion was made by Commissioner Francisco to approve a 28E Agreement between the Iowa Department of Natural Resources and the Scott County Soil and Water Conservation District (Scott County SWCD) to provide a framework for joint funding and administration at the county-level of incentives that will be used to improve water quality at Lost Grove Lake through the installation of filter strips and procurement of conservation easements.
Seconded by Commissioner Drees. Motion carried by unanimous vote of those present.*

AGREEMENT APPROVED

SPECIAL DEER HUNTS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Because local ordinances prohibit hunting in cities and urban settings in many cases, those areas are prone to providing Iowa's deer herd with a refuge and may cause deer populations to become vast in some Iowa cities. Without hunting to cull the deer herd in Iowa, the Iowa deer herd population may as much as double every three years.

To assist in managing overpopulation of deer in our urban areas, the Natural Resources Commission had adopted rules, pursuant to the authority provided in Iowa Code chapters 455A and 481A, to allow for the creation of special deer population management zones. These recently amended rules are found in 571 Iowa Administrative Code chapter 105. Special deer population management zones are limited to areas within the management of the Department, county conservation boards, or other local governments.

Specifically, the rules allow for urban deer management zones and prescribe a procedure by which the Commission may allow a hunt in such areas and the participating city may regulate the qualifications of the hunter, such as setting additional requirements on the hunters participating in the hunts, including additional hunter safety education course, passing a weapons proficiency course, or otherwise being approved by the city's police force and/or the Department's conservation officer. The rules require the Commission to approve the season, method of take, the number of take, and the type of license required for any such deer hunt to occur. Deer depredation biologists employed by the Department make these determinations and recommend

them to the Commission for adoption. The Commission's approval of these recommendations does not bind the city to executing the special hunt.

Some cities have developed Deer Task Forces, which are not defined in code. These groups have historically been a mixture of city officials and local citizens who will work with one of the Department's wildlife biologists to discuss the deer population of the area and develop strategies to manage that population. Deer Task Forces have the authority under the code to request a special hunt.

The role of the DNR deer depredation biologists for all special hunts is to provide the technical assistance to the program and leave communities to evaluate which of the control strategies may best fit their needs. DNR depredation biologists work with city and county officials, state parks managers, U.S. Fish and Wildlife Service Refuge Managers and the Contractor at the Iowa Army Ammunition Plant each year to determine the locations of the hunts, season, method of take, number of take and type of licenses required.

The DNR depredation biologists request approval of these determinations for the special hunts at the Commission's regularly scheduled June meeting for a number of reasons. For one, pre-approving the control program will allow the cities and other participants of the special hunts ample time to adopt the requirements, as may be required by their administrative procedures. Secondly, this prior notice allows the depredation biologists to work with the city and local vendors to educate them about the special hunts. Finally, approval at the June NRC meeting is necessary to ensure the information about these special hunts is included in the Department's hunting season regulations booklet, an annual publication of the Department that informs law enforcement personnel and the general public about hunting seasons in the state. The publication includes information regarding Commission-approved special hunts as well as contact information for local officials and planners related to these hunts.

Inclusion in the publication is not a requirement to hold a hunt nor does it guarantee that licenses to participate in the hunt will be issued, but it does acknowledge that the city may be eligible to have a special hunt. Department licensing staff control the availability of licenses through its automated licensing system, the Electronic Licensing System of Iowa. Therefore, licenses to participate in special hunts are not available until the Department makes them available through this licensing system.

The Commission has approved special hunts in many urban areas throughout the state. Currently, special hunts are held in Cedar Falls, Waterloo, Dubuque, Marion, Cedar Rapids, Denison, Ottumwa, Ames, Bettendorf, Clinton, Davenport, Muscatine, Coralville, Des Moines, West Des Moines, Clive, Johnston and Urbandale. Dubuque, Waterloo, Cedar Falls, and cities in Polk County have experienced dramatically positive results utilizing the special hunts.

The Department has much experience in managing special hunts, as many have been held on state and county park lands with little to no interference with park users. A special hunt in Black Hawk County has occurred every year since 1994. Population estimates based on aerial counts were 50 deer per square mile when the hunts began, and since 2000, those estimates have hovered closer to 20 to 30 deer per square mile. Kent Park in Johnson County and Scott County

Park in Scott County are two county-managed parks where special hunts have lowered deer numbers considerably. In the mid 1990's, population estimates based on aerial counts in Kent Park showed that more than 300 deer in the park and surrounding area. After several years of special hunts, the counts have been approximately 100 deer.

In the nearly 13 years the Department has administered special hunts for the Commission, there have been no problems encountered related to safety. The Department contends that special hunts are a useful tool that cities may use to manage deer populations; that the most effective manner for which the Department to administer the program is to provide cities an opportunity to participate and plan well before the seasons would start; and that cities, and not the Department, should remain responsible to ensuring those cities comply with their public notice and ordinance adoption procedures and local policing efforts in overseeing the hunts.

In recent discussions regarding process improvement, the Department is in agreement that a written request on behalf of the city be received for evaluation prior to the regular June NRC meeting. We further believe the Department staff will provide the city with a degree of latitude on these requests when a city has been working toward a special hunt but may need additional time before city council has taken specific action (ie: DNR staff believes the city will want to conduct a hunt).

Ken Herring noted that he had talked with cities, primarily the Cedar Rapids Deer Task Force Leader about their process. He said Chapter 105 says that urban deer management zones will be established only upon the request from a city government or special urban deer task force and when approved by the Natural Resource Commission. Herring said that the depredation biologist work with the cities and requests for a special hunt are often through our deer depredation biologists. He said they do have to ask in some format, but the rules do not spell out how. He said this has worked well except for the issue that came up in Cedar Rapids.

Commissioner Garst said she accepts that it is not a legal requirement or rule that cities have to approve the details of their hunt before the NRC does, but that it would be nice if the cities had their approvals first. She said how the cities come up with the decision to ask is their business, not ours but it would be nice if they had public processes spelled out as as part of their process for asking for a special deer hunt.

Kelley Myers noted that there is a requirement in 461C.8 where the legislature authorized cities to allow hunting within their urban areas. There is a Code requirement on them to adopt an ordinance, not to ask the department for the hunt but to approve the hunt that the commission has approved. She explained that the commission is called upon to do exactly what you are doing which is to say where and when a hunt may occur and what may be hunted. She reiterated that the cities still have an obligation to go through adoption of an ordinance process.

Discussion continued with regard to the process the cities should go through in order to recommend that hunt be approved. Ken Herring acknowledged that staff is willing to accept the suggestion that a request for a special hunt be in writing so that it is clearly understood that their process is in place.

Commissioner Garst suggested that a letter be sent early in the year to all the cities reminding them that the NRC will be approving special deer hunts in June and that they are encouraged to have their plans reviewed by their city council so that the department receives their letter of request for a special hunt before the June NRC meeting. She said this procedure would serve as a reminder so the process happens smoothly.

Commissioner Rettig commented that she feels it is counter productive to approve a hunt before the city approves a hunt and that she feels the proposed procedure of sending them a letter is fine, but if it does not work to re-visit the issue about changing the rule.

Director Leopold stated there is no need to change anything right now. He said we have the deer expertise and that the Department does the biological assessment and tell cities what we authorize them to do. He said the commission actually authorizes a hunt and the city approves the hunt.

Commissioner Garst questioned how well cities understand that they can take action on their deer herds in their own cities and suggested this may be a marketing issue. Ken Herring commented that while we try to serve anyone that shows up with questions, there needs to be more deer depredation biologists before this issue is marketed much.

INFORMATIONAL ITEM

Item 13 was removed from the agenda.

CONSERVATION AND RECREATION DONATIONS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission is requested to approve the following donations:

Donation to:	Amount	Donation Provided by (Name/Org):	Description
AmeriCorps Trails Crew @ Maquoketa Caves State Park	\$80.36	Mulgrew Oil Company	Donation of 35.4 galls of 100% soy bio-diesel to run a mini track loader inside a cave. This fuel provided non-lethal exhaust to the people and living organisms in the cave during the crew's work removing hundreds of tons of debris left by a storm.
Brushy Creek Recreation Area	\$400.00	Minda Witt	Donation of twenty-three 12-14' trees
Education Programs (BOW and OJ)	\$200.00	Delta Sporting Supplies	Donation of 3-D Turkey and 3-D Deer archery targets to expand the education programs.
Green Valley State Park	\$475.00	Keith McCay and Family	Donation of one memorial bench in memory of Bonita McCay.

Green Valley State Park	\$995.60	Charles Krauth and Family	Donation of two memorial benches in memory of Bill and Marie Klingensmith and Nancy D. Krauth.
HUSH Program	\$500.00	Drury Marketing, Inc.	Donation toward support of the HUSH program.
Manchester Trout Hatchery	\$250.00	Elmer/McConnell Family	Donation to the Manchester Trout Hatchery in memory of Jack Toussaint, an avid Iowa trout fisherman.
Mines of Spain Recreation Area	\$89.99	Steve's Ace Hardware	Donation of one maple tree planted during Conservation Kids Day program.
Springbrook Conservation Education Center	\$2,000.00	Rocky Mountain Elk Foundation	Donation toward new audio-visual system.
Wildlife Bureau	\$5,544.00	Bill Jordan, Jordan Enterprises, Ltd	Donation of 1008 summer/winter weight DNR emblmed hats for use in appreciation of management of Iowa's deer population.

Motion was made by Commissioner Kramer to approve the donations to the Conservation and Recreation Division. Seconded by Commissioner Rettig.

Commissioner Rettig commented that much of our funding comes from hunting and fishing licenses and said there should be a way for those who do not hunt or fish to buy a license in support of DNR. She asked if there is a way to get this type of funding and assistance on a statewide basis.

Director Leopold noted that staff has talked about this issue and is looking at use patterns and at hunting and fishing numbers as compared to those that are using wildlife in non-consumptive ways. He said there is a growing number of people who want to do something to contribute and we are trying to figure out a meaningful way to do that.

Following a question from Commissioner Rettig, Director Leopold reported on a group headed by Gerry Schnepf working under his Keep Iowa Beautiful campaign. He said Schnepf is talking with former Governors about creating a Friends group of all state parks. He said that while DNR is not real involved in that, it is moving forward with our encouragement and blessing.

Commissioner Garst remarked that donor recognition is a great way to get more. She said it is important to publicize the wonderful contributions of donors. Suggestion was to have an agenda item about how we can push for private donations at a future meeting. .

Motion to approve the donations carried by unanimous vote of those present.

DONATIONS APPROVED

EDUCATIONAL PROGRAMS

Kevin Baskins, Communications Bureau Chief, presented a power point presentation on the educational programs offered by the DNR.

Information regarding current K-12 educational programs offered by the Iowa DNR, including the Springbrook Conservation Education Center, Aquatic Education, and Project Wild, was presented to the NRC.

Overview of programs included an education review noting the DNR's history of working with youth and recognizing the need for conservation education.

- Springbrook Conservation Education Center (1970)
- Recreation Safety (CRD)
 - Hunting Education
 - Shooting Sports
 - Water Safety
 - ATV Safety
 - Canoeing –Water Trails
- Aquatic Education (1988)
 - Fish Iowa!, Clinics, HOFNOD, Iowa Games Casting...
 - WILD/PLT (1996)
 - IOWATER (now in ESD)
- Events (BOW, OJ, HACC - 1993)
- Parks Interpretive Program (CRD - late 1990s)

Included was a presentation on a pilot program, in cooperation with the Boys and Girls Clubs of Central Iowa, to establish a natural resources/conservation-based curriculum for their after-school program. There was also information regarding challenges and opportunities presented by the “No child left in the woods concept.”

INFORMATIONAL ITEM

GENERAL DISCUSSION

Commissioner Francisco reminded that he would be absent from the next meeting in October

NEXT MEETING DATES

The next meeting will be held on October 11 in the Yellow River Forest area.

ADJOURNMENT

Motion was made by Commissioner Kramer to adjourn the September 13, 2007 NRC meeting. Seconded by Commissioner Francisco. Meeting adjourned at 12:10 p.m..

Richard A. Leopold, Director

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